

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAY 18 1999

In the Matter of
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY
Provision of Access
For 800 Service

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) CC Docket No. 86-10
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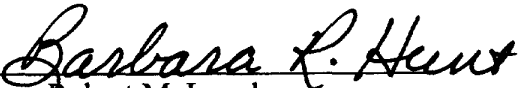
MOTION TO ALLOW LATE FILING

Attached as Exhibit A is a copy of the Opposition of SBC Communications Inc. to AT&T's Application For Review, which SBC Communications Inc. (SBC) attempted to file yesterday via E-Mail, since the electronic filing system was not operational. SBC mailed a copy of the E-Mail document printed in the Notebook format to the other parties of record in this docket, ITS INC and AT&T CORP yesterday. However, at 8:36 p.m. yesterday evening, SBC received a notification that the E-Mail filing was still undelivered after four hours and that the FCC ecfs address had transient non-fatal errors. Attached as Exhibit B is a copy of that E-Mail notification. Since SBC was unable to file on a timely basis via E-Mail, SBC respectfully requests permission to file the attached Exhibit A one day late. No party will be harmed by the late filing because the parties were served by U.S. Mail yesterday on the assumption that the E-Mail version of the document had been duly filed.

No. of Copies rec'd 2
List ABCDE

Respectfully submitted,

SBC COMMUNICATIONS INC.

By: 
Robert M. Lynch
Roger K. Toppins
Barbara R. Hunt
One Bell Plaza, Room 3026
Dallas, Texas 75202
214-464-5170

Attorneys for SBC Communications Inc.
and its Subsidiaries

May 18, 1999

Before the
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CC Docket No. 86-10

**OPPOSITION OF SBC COMMUNICATIONS INC.
TO AT&T'S APPLICATION FOR REVIEW**

SBC Communications Inc.¹ (SBC) pursuant to Section 1.115 of the Commission's Rules, 47 C.F.R. § 1.115, submits this Opposition to AT&T's Application For Review filed on April 30, 1999, insofar as that Application for Review seeks to have all of the provisions of the Second Report and Order and Further Notice of Proposed Rulemaking in CC Docket No. 94-129 (Slamming Order) applied to 800 service. SBC had previously sought clarification of this issue in CC Docket No. 94-129.² As SBC pointed out in that filing, the established industry practice is for the Responsible Organization (RESP ORG) to verify carrier changes with the customer prior to working those changes whenever there is any doubt about the validity of the written authorization for carrier change. That practice is in accordance with the guidelines approved by the Ordering and Billing Forum (OBF). When a RESP ORG receives an LOA for a carrier change request, the authorized RESP ORG pulls the authorized signature on the account from the file and compares it to

¹ SBC Communications Inc. is the parent company of various subsidiaries, including telecommunications carriers. These subsidiaries include Southwestern Bell Telephone Company (SWBT), Pacific Bell, Nevada Bell, and The Southern New England Telephone Company (SNET). The abbreviation "SBC" shall be used herein to include each of these subsidiaries as appropriate in the context.

² See SBC Petition for Reconsideration and For Clarification, CC Docket No 94-129, FCC 98-334, filed on March 18, 1999, page 13.

Opposition of SBC Communications Inc.
May 18, 1999

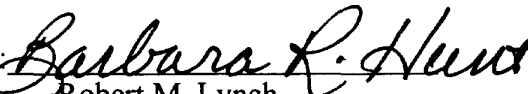
Exhibit A

the signature on the written LOA. Then, if the signatures do not match, the authorized RESP ORG contacts the customer to verify the carrier change request. It is important for this process to be left in place.

If there were no written signature to compare in order to determine those cases where actual customer contact is necessary in order to make sure slamming does not occur, the RESP ORG would have to contact the customer on every 800 carrier change. The incentive to slam on this very lucrative service, together with the sophisticated nature of the business customer that subscribes to 800 service, justifies treatment of this service as an exception to the slamming rules. The existing industry-approved procedures have worked well for this specialized service and the Commission's Order exempting this service from PIC change procedures set out in the Slamming Order should not be changed.

Respectfully submitted,

SBC COMMUNICATIONS INC.

By: 

Robert M. Lynch
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214-464-5170

Attorneys for SBC Communications Inc.
and its Subsidiaries

May 18, 1999

HUNT, BARBARA R (SBC)

From: Mail Delivery Subsystem [MAILER-DAEMON@gatekeeper2.fcc.gov]
Sent: Monday, May 17, 1999 8:36 PM
To: HUNT, BARBARA R (SBC)
Subject: Warning: could not send message for past 4 hours



ATT30684.TXT



Untitled Attachment

** THIS IS A WARNING MESSAGE ONLY **
** YOU DO NOT NEED TO RESEND YOUR MESSAGE **

The original message was received at Mon, 17 May 1999 17:31:17 -0400 (EDT)
from uucp@localhost

----- The following addresses had transient non-fatal errors -----
<ecfs@fcc.gov>

----- Transcript of session follows -----
<ecfs@fcc.gov>... Deferred: Connection refused by fccsun05w.fcc.gov.
Warning: message still undelivered after 4 hours
Will keep trying until message is 5 days old

Certificate of Service

I, Elaine Richards, hereby certify that the foregoing "Motion for Late Filing," together with Exhibit A, "Opposition of SBC Communications, Inc, to AT&T's Application For Review," in CC Docket No. 86-10 has been served on May 18, 1999 to the Parties of Record.

/s/ Elaine Richards
Elaine Richards

May 18, 1999

ITS INC
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